

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Criminal Case No. 19-cr-20032

Hon. Mark A. Goldsmith

v.

D-1 SUNG YOL “DAVID” KIM,

Defendant.

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AFFIDAVIT OF WAIVER OF EXTRADITION

I, Sung Yol “David” Kim, having been fully informed by my attorneys, Miller, Canfield, Paddock and Stone, P.L.C., of my rights under the extradition treaty in force between the United States and the Republic of Korea do hereby waive any and all such rights only with respect to the charges set forth in the Indictment filed in Case No. 19-cr-20032 in the Eastern District of Michigan, entitled *United States v. Sung Yol “David” Kim*, and with respect to any violations of the bail conditions extended in that matter. I, Sung Yol “David” Kim, am currently on bail on conditions set by the Court in connection with the charges set forth in that Indictment.

My attorneys, with whose services I am satisfied, have explained to me the terms of the extradition treaty in force between the United States and the Republic of Korea, the applicable sections of Title 18, United States Code, and the Indictment filed in Case No. 19-cr-20032 in the Eastern District of Michigan, including

consequences relating to bail violations. I understand my rights under the laws of the Republic of Korea in connection to any extradition request by the United States. I concede that I am the individual against whom charges are pending in Case No. 19-cr-20032 and for whom bail has been extended. I fully understand that in the absence of a waiver of my rights, if I do not return pursuant to my bail conditions, I cannot be compelled to surrender to the United States authorities unless and until a court in the Republic of Korea issues a ruling certifying my extraditability and orders my extradition. I have reviewed the Indictment and my bail conditions and I fully understand the applicability of the extradition treaty. I hereby waive my rights, if any, under the extradition treaty and agree to return as directed by the Court or the government.

In the event that I violate my bail conditions and fail to return to the United States as agreed upon, I understand that the purpose of this affidavit is for the government to offer it to the authorities in the Republic of Korea if or when my extradition is sought by the United States government in relation to the Indictment filed in Case No. 19-cr-20032. I understand that the Republic of Korea authorities may use this affidavit to assist in determining my extraditability.

I agree to remain under the supervision of the United States District Court, Eastern District of Michigan. No representative, official, or officer of the United States or of the Government of the Republic of Korea, nor any person, has made any

other promises or offered any other form of inducement nor made any threat or exercised any form of intimidation against me. I execute this waiver of rights knowingly, voluntarily, and entirely of my own free will and accord.


Sung Yol "David" Kim

I hereby certify that on the 1st day of May, 2020, Sung Yol "David" Kim appeared before me via video-conference and made his oath in due form of law that the statements herein are true.


s/Mark A. Goldsmith

The Honorable Mark A. Goldsmith
United States District Judge